IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 688 of 2005

Between:

Parthasarathi Reddy Bokkala, S/o.Late Venkata Reddy,
R/o.103, ELLEN Apartments, H.No.3-6-119/4,
Himayathnagar, Hyderabad-500029.

... PETITIONER

AND

1 Revenue Divisional officer, (Appellate Authority under section

4-A,of A.P.Assigned
Land (POT) Act, 1977), Karimnagar, Karimnagar District.
2 Mandal Revenue officer, Huzurabad Mandal, Huzurabad,

Karimnagar District.
3 Mandal Revenue Inspector (II) Huzurabad, Karimnagar District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of Mandamus declaring the inaction on the part of the 1st respondent in not passing any appropriate order on the stay application filed by the petitioner in an appeal filed under section 4A of A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 against the order of the Respondent No.2 Mandal Revenue officer in his No.E/1654/2000, dated 15-11-2004 and in allowing the Respondent No.2 to implement his order detrimental to the interests of the petitioner in respect of the lands covered by the order of the Respondent No.2 dated 16-11-2004 as illegal and void and consequentially to direct the respondents to refrain from giving effect to the orders of the Mandal Revenue officer in his proceedings No.E/1654/2000, dated 16-11-2004 before the disposal of the appeal by the 1st respondent.

Counsel for the Petitioner: MR.M.SUDHIR KUMAR
Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

2. In this writ petition, petitioner is challenging the order dated 16-11-2004 passed by the second respondent in Proc.No.E/1654/2000 in respect of Ac.2.35 cents of land in different survey numbers of Thummanapalli Village, Huzurabad Mandal, Karimnagar District. The impugned orders were passed by the second respondent in exercise of the powers under the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'). It is submitted that against the orders passed by the second respondent, petitioner already preferred an appeal before the first respondent – Revenue Divisional Officer, under Section 4 (A) of the Act, which is pending on the file of the first respondent and without passing any orders on the appeal filed by the petitioner, respondents are trying to give effect to the orders of the second respondent dated 16-11-2004.

3. In the circumstances, the writ petition is disposed of directing the first respondent – Revenue Divisional Officer to consider the appeal and the stay application said to have been filed by the petitioner and pass appropriate orders either on the stay application or the appeal, in accordance with law. Till passing of such orders, respondents are directed not to interfere with the petitioner's possession of the land in question.

The writ petition is accordingly disposed of at the admission stage.

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N.V. RAMANA, J

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January 25, 2005

NOTE: Copy by wire at partys' costs.

MRR / NSR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

COPY TO:

1 Revenue Divisional officer, (Appellate Authority under section

4-A,of A.P.Assigned
Land (POT) Act, 1977), Karimnagar, Karimnagar District.
2 Mandal Revenue officer, Huzurabad Mandal, Huzurabad,

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4 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

5 Two C.D. Copies.